

## Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載され  
ます通りです。

My residence, post office address and citizenship are as stated  
next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願  
している発明内容について、私が最初かつ唯一の発明者（下  
記の氏名が一つの場合）もしくは最初かつ共同発明者である  
と（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name  
is listed below) or an original, first and joint inventor (if plural  
names are listed below) of the subject matter which is claimed and  
for which a patent is sought on the invention entitled

MEDICAL SYSTEM CONTROL APPARATUS, AND  
METHOD FOR DEALING WITH TROUBLE WITH  
THE MEDICAL SYSTEM CONTROL APPARATUS

上記発明の明細書（下記の欄でx印がついていない場合は、  
本書に添付）は、

\_\_\_\_月\_\_\_\_日に提出され、米国出願番号または特許協定条約  
国際出願番号を\_\_\_\_\_とし。  
(該当する場合) \_\_\_\_\_に訂正されました。

was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、  
内容を理解していることをここに表明します。

私は、連邦規則法典第37編第1条56項に定義されると  
おり、特許資格の有無について重要な情報を開示する義務が  
あることを認めます。

I hereby state that I have reviewed and understand the contents of  
the above identified specification, including the claims, as  
amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to  
patentability as defined in Title 37, Code of Federal Regulations,  
Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基き下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(a)項に基く国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している。本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

**Prior Foreign Application(s)**

外国での先行出願	JAPAN
2001-032750	(Country)
(Number)	(国名)
2001-032749	JAPAN
(Number)	(Country)
(番号)	(国名)

See attached list for additional prior foreign applications

私は、第35編米国法典119条(e)項に基いて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

私は、下記の米国法典第35編120条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基く権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内よまたは特許協力条約国提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.) (出願番号)	(Filing Date) (出願日)
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の表明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

8/2/2001 (Day/Month/Year Filed) (出願年月日)

8/2/2001 (Day/Month/Year Filed) (出願年月日)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status Patented, Pending, Abandoned)  
(現況：特許許可済、係属中、放棄済)

(Status Patented, Pending, Abandoned)  
(現況：特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

List for additional prior foreign applications

Priority Claimed  
優先権の主張

(Number) (番号)	JAPAN (Country) (国名)	1/8/2001 (Day/Month/Year Filed) (出願年月日)	<input checked="" type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
2001-233886				
2001-367813	JAPAN (Country) (国名)	30/11/2001 (Day/Month/Year Filed) (出願年月日)	<input checked="" type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/> Yes はい	<input type="checkbox"/> No いいえ

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## Japanese Language Declaration

(日本語宣言書)

(See attachment for additional  
attorneys and reg. nos.)

委任状： 私は下記の発明者として、本出願に関する一切の手続を米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁護士、または代理人の氏名及び登録番号を明記のこと）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Paul J. Esatto, Jr., Reg. No. 30,749

書類送付先

Send Correspondence to: Paul J. Esatto, Jr.  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530

直接電話連絡先：（名前及び電話番号）

Direct Telephone Calls to: (name and telephone number)

Paul J. Esatto, Jr.  
(516) 742-4343

唯一または第一発明者名		Full name of sole or first inventor	
		Takechiyo NAKAMITSU	
発明者の署名	日付	Inventor's signature	Date
		Takechiyo Nakamitsu Jan. 22, 2002	
住所		Residence	
		Hachioji-shi, Tokyo, Japan	
国籍		Citizenship	
		Japan	
私書箱		Post Office Address	
		c/o Intellectual Property Department	
		Olympus Optical Co., Ltd.	
		2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	
第二共同発明者		Full name of second joint inventor, if any	
		Akinobu UCHIKUBO	
第二共同発明者	日付	Second inventor's signature	Date
		Akinobu Uchikubo Jan. 22, 2002	
住所		Residence	
		Iruma-shi, Saitama, Japan	
国籍		Citizenship	
		Japan	
私書箱		Post Office Address	
		c/o Intellectual Property Department	
		Olympus Optical Co., Ltd.	
		2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	

（第三以降の共同発明者についても同様に記載し、署名をすること）

(Supply similar information and signature for third and subsequent joint inventors.)

第三共同発明者		Full name of third joint inventor, if any Kyo IMAGAWA	
第三発明者の署名	日付	Third inventor's signature <i>Kyo Imagawa</i>	Date Jan. 23, 2002
住所		Residence Oume-shi, Tokyo, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Intellectual Property Department	
		Olympus Optical Co., Ltd. 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	
第四共同発明者		Full name of fourth joint inventor, if any Masaya FUJITA	
第四発明者の署名	日付	Fourth inventor's signature <i>Masaya Fujita</i>	Date Jan. 22, 2002
住所		Residence Sagamihara-shi, Kanagawa, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Intellectual Property Department	
		Olympus Optical Co., Ltd. 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	
第五共同発明者		Full name of fifth joint inventor, if any Nobuyuki FURUKAWA	
第五発明者の署名	日付	Fifth inventor's signature <i>Nobuyuki Furukawa</i>	Date Jan. 22, 2002
住所		Residence Hachioji-shi, Tokyo, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Intellectual Property Department	
		Olympus Optical Co., Ltd. 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	
第六共同発明者		Full name of sixth joint inventor, if any Takashi OZAKI	
第六発明者の署名	日付	Sixth inventor's signature <i>Takashi Ozaki</i>	Date Jan. 23, 2002
住所		Residence Hachioji-shi, Tokyo, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Intellectual Property Department	
		Olympus Optical Co., Ltd. 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan	

第七共同発明者	Full name of seventh joint inventor, if any Hiroyuki MINO		
第七発明者の署名	日付	Seventh inventor's signature <i>Hiroyuki Mino</i>	Date Jan. 22, 2002
住所	Residence Hino-shi, Tokyo, Japan		
国籍	Citizenship Japan		
私書箱	Post Office Address c/o Intellectual Property Department		
	Olympus Optical Co., Ltd. 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan		
第八共同発明者	Full name of eighth joint inventor, if any		
第八発明者の署名	日付	Eighth inventor's signature	Date
住所	Residence		
国籍	Citizenship		
私書箱	Post Office Address		
第九共同発明者	Full name of ninth joint inventor, if any		
第九発明者の署名	日付	Ninth inventor's signature	Date
住所	Residence		
国籍	Citizenship		
私書箱	Post Office Address		
第十共同発明者	Full name of tenth joint inventor, if any		
第十発明者の署名	日付	Tenth inventor's signature	Date
住所	Residence		
国籍	Citizenship		
私書箱	Post Office Address		

Please type a plus sign (+) inside this box →

PTO/SB/02C (3-97)

Approved for use through 9/30/98. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## DECLARATION

### REGISTERED PRACTITIONER INFORMATION (Supplemental Sheet)

Name	Registration Number	Name	Registration Number
Leopold Presser	19,827		
William C. Roch	24,972		
Kenneth L. King	24,223		
Frank S. DiGiglio	31,346		
John S. Sensny	28,757		
Mark J. Cohen	32,211		
Richard L. Catania	32,608		
Steven Fischman	34,594		
Edward W. Grolz	33,705		
Peter I. Bernstein	43,497		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant(s):</b>	Takechiyo Nakamitsu, et al.	<b>Examiner:</b>	Unassigned
<b>Serial No.:</b>	To be assigned	<b>Art Unit:</b>	Unassigned
<b>Filed:</b>	Herewith	<b>Docket:</b>	15251
<b>For:</b>	MEDICAL SYSTEM CONTROL APPARATUS, AND METHOD FOR DEALING WITH TROUBLE WITH THE MEDICAL SYSTEM CONTROL APPARATUS		

Assistant Commissioner of Patents  
Washington, DC 20231

ASSOCIATE POWER OF ATTORNEY (37 C.F.R. § 1.34)

Sir:

Please recognize as Associate Attorney in this case:

Thomas Spinelli

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530

Registration No. 39,533  
Telephone No. (516) 742-4343.

Respectfully submitted,

Paul J. Esatto, Jr.  
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Date of Deposit: February 8, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231 on February 8, 2002.

Dated: February 8, 2002

Janet Grossman  
Janet Grossman